

**haynesboone**

Haynes and Boone, LLP  
2323 Victory Avenue, Suite 700  
Dallas, Texas 75219-7673  
Phone: (214) 651-5000  
Fax: (214) 651-5940  
[www.haynesboone.com](http://www.haynesboone.com)

Date: Wednesday, July 07, 2010 4:49:24 PM

Total Pages Including  
Cover: 09

---

To: Examiner Samson Lemma Company:  
Fax: 1 571 273 3806 Telephone:  
Client/Matter: 26530.92

---

From: Ellen Lovelace  
Direct Telephone: 214-651-5105  
Direct Fax: 214-200-0810

Should you have any problem with this transmission, please call: 214-651-5105

---

**Message:**

Examiner Lemma,

Attached please find a draft of a proposed amendment in response to the outstanding final Office action. I look forward to discussing the draft with you tomorrow at 2:00 PM EDT. Please do not hesitate to contact me if you have any questions.

Thanks!!  
Brandi Sarfatis  
214-651-5896

Confidentiality Note: The information contained in this facsimile message is privileged and confidential and is intended only for the use of the addressee. The term "privileged and confidential" includes, without limitation, attorney-client privileged communications, attorney work product, trade secrets, and any other proprietary information. Nothing in this facsimile is intended by the attorney or his client to constitute a waiver of the confidentiality of this message. If the reader of this message is not the intended recipient, or employee/agent of the intended recipient, you are hereby notified that any duplication, or distribution of this communication is unauthorized. If you have received this message in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.

Appl. No. 10/734,935  
Response to Final Office Action dated May 11, 2010

Response Under 37 CFR § 1.116  
Expedited Procedure – Group Art Unit 2132  
Patent/Docket No. 26530.92 (IDR-671)  
Customer No. 000027683

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
Simpson et al. § Attorney Docket No. 26530.92  
§  
Serial No.: 10/734,935 § Customer No. 27683  
§  
Filed: December 12, 2003 § Group Art Unit: 2432  
§  
For: DISTRIBUTED DYNAMIC § Examiner: Lemma, Samson B.  
SECURITY CAPABILITIES WITH §  
ACCESS CONTROLS § Confirmation No: 2224

**RESPONSE TO OFFICE ACTION DATED MAY 11, 2010**

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the final Office action dated May 11, 2010, in connection with the above-noted application. No fees, including extension of time fees, are believed necessary for consideration of the present paper. However, if any fees, including extension of time fees are necessary, the extension of time is hereby requested, and the Commissioner is hereby authorized to charge any fees, including those for the extension of time, to Haynes and Boone, LLP's Deposit Account No. 08-1394.

**Amendments to the Claims** begin on page 2 of this paper, which includes a listing of all claims in the application.

**Remarks** begin on page 6 of this paper.

Appl. No. 10/734,935  
Response to Final Office Action dated May 11, 2010

**Response Under 37 CFR § 1.116**  
**Expedited Procedure – Group Art Unit 2132**  
Patent/Docket No. 26530.92 (IDR-671)  
Customer No. 000027683

**Listing of the Claims:**

The text of all claims under examination is submitted, and the status of each is identified. This listing of claims replaces all prior versions, and listings, of claims in the application.

1. (Currently Amended) A computer-implemented method employing a microprocessor for controlling access to a document, the method comprising:  
determining, using the microprocessor, an access right for a user;  
building a member definition comprising a member identifier, an access control list comprising a list of access rights of the user, a private key of a key pair for use in encrypting the document, and a digital signature, and associating the member definition with the user;  
linking the member definition to a first data portion of a document, wherein the document has the first data portion and a second data portion,  
receiving a request from the user to access the document;  
comparing the request with the access right; [and]  
allowing access to only the first data portion in accordance with the access right; and  
denying access to the second data portion in accordance with the access right, wherein the denying access comprises at least one of logging information regarding the denial of access to the second data portion, and notifying security personnel regarding the denial of access to the second data portion.
2. (Canceled)
3. (Canceled)
4. (Original) The method of claim 1, further comprising adding a new user to the document.
5. (Original) The method of claim 1, further comprising removing a member from the document.
6. (Original) The method of claim 1, further comprising:  
storing the member definition remotely from the document.

Appl. No. 10/734,935  
Response to Final Office Action dated May 11, 2010

**Response Under 37 CFR § 1.116**  
**Expedited Procedure – Group Art Unit 2132**  
Patent/Docket No. 26530.92 (IDR-671)  
Customer No. 000027683

7. (Original) The method of claim 1, further comprising:  
storing the member definition in the document.
8. (Original) The method of claim 1, further comprising:  
encrypting the document; and  
linking the member definition with a public key and a private key.
9. (Original) The method of claim 1, further comprising:  
determining a second access right for the user;  
building a second member definition using the second access right; and  
linking the second member definition to a second portion of a document.
10. (Original) The method of claim 9, wherein the first portion of the document and the second portion of the document are different.
11. (Currently Amended) A computer-implemented system for controlling access to a document, comprising:  
a microprocessor;  
memory accessible by the microprocessor;  
a document comprising a first data and a second data;  
a first member definition associated with the first data, wherein the first member definition contains a first user identifier, a private key of a first key pair for use in encrypting the first data, and a first access right for a first user for the first data;  
a second member definition associated with the second data, wherein the second member definition contains a second user identifier, a private key of a second key pair for use in encrypting the second data, and a second access right for a second user for the second data; and  
an access controller that receives a request from the first user for access to the document, wherein the access controller locates the first member definition and allows access to the first data only and denies access to the second data, wherein the denying access comprises at least one of logging information regarding the denial of access to the second data, and notifying security personnel regarding the denial of

Appl. No. 10/734,935  
Response to Final Office Action dated May 11, 2010

Response Under 37 CFR § 1.116  
Expedited Procedure – Group Art Unit 2132  
Patent/Docket No. 26530.92 (IDR-671)  
Customer No. 000027683

access to the second data.

12. (Original) The system of claim 11, wherein the access controller limits access to the document in accordance with the first access right and the second access right.

13. (Original) The system of claim 11, wherein the first user identifier and the second user identifier identify the same user and the first access right and the second access right identify different access rights.

14. (Original) The system of claim 11, wherein the first member definition contains a digital signature.

15. (Original) The system of claim 11, wherein the first member definition and second member definition are stored remotely from the document.

16. (Original) The system of claim 11, wherein the first member definition and second member definition are stored in the document.

17. (Original) The system of claim 11, wherein the document is a tagged document.

18. (Original) The system of claim 11, wherein the document is an XML document.

19. (Original) The system of claim 11, wherein the document is a text document.

20. (Original) The system of claim 11, wherein the document is a binary document.

21. (Currently Amended) A non-transitory computer-readable storage medium comprising a plurality of instructions for execution by at least one computer processor, wherein the instructions are for:

determining a first access right for a first user and a second access right for a second user;  
building a first member definition comprising the first access right, a first user identifier, a private key of a first key pair for enabling the first user to encrypt a first portion of a document, and a first digital signature;

Appl. No. 10/734,935  
Response to Final Office Action dated May 11, 2010

**Response Under 37 CFR § 1.116**  
**Expedited Procedure – Group Art Unit 2132**  
Patent/Docket No. 26530.92 (IDR-671)  
Customer No. 000027683

building a second member definition comprising the second access right, a second user identifier, a private key of a second key pair for enabling the second user to encrypt a second portion of the document, and a second digital signature;

linking the first member definition to the first portion of the document;

linking the second member definition to the second portion of the document;

storing the first member definition and second member definition remotely from the document;  
encrypting the document;

receiving a request from a requester to access the document;

based on the first user identifier and the second user identifier, determining the access right for the requester for the first portion of the document and the second portion of the document; and

allowing access only to the first portion of the document and denying access to the second portion in accordance with the first access right, or allowing access only to the second portion of the document and denying access to the first portion in accordance with the second access right, wherein the denying access comprises at least one of logging information regarding the denial of access, and notifying security personnel regarding the denial of access.

Appl. No. 10/734,935  
Response to Final Office Action dated May 11, 2010

**Response Under 37 CFR § 1.116**  
**Expedited Procedure – Group Art Unit 2132**  
Patent/Docket No. 26530.92 (IDR-671)  
Customer No. 000027683

### **REMARKS**

Claims 1 and 4-21 are pending. Reconsideration of all pending claims is respectfully requested in light of the foregoing amendments and following remarks. As a preliminary matter, Applicants' representative would like to thank the Examiner for the courtesies extended during the telephone conversation conducted July 1, 2010.

#### **Rejections under 35 U.S.C. § 112**

Claims 1 and 4-21 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner asserts that there is no "readily apparent support" for the limitation "building a member definition comprising, a private key of the private key pair for use in encrypting the document." In response, Applicants respectfully refer the Examiner to paragraph [0021] of the specification, which states that the encryption may be accomplished "by associating a member definition with a pair of encryption keys (e.g., public and private keys), as is understood in the art, and one of the keys could be placed in the member definition 14." Paragraph [0027] goes on to state that "the member definition may contain a private key for use in encrypting one or more data portions 16 . . . of the document 10." Therefore, the combination of paragraphs [0021] and [0026] provide readily apparent support for the subject limitation and Applicants therefore respectfully request that the subject rejection be withdrawn.

#### **Rejections under 35 U.S.C. § 101**

Claims 1 and 4-21 stand rejected under 35 U.S.C. §101 because the claimed subject matter is directed to non-statutory subject matter. In response, Applicants have amended the claims such that they now comply in all respects with 35 U.S.C. §101, and therefore respectfully request that the rejection be withdrawn.

#### **Rejections under 35 U.S.C. § 103**

Claims 1 and 4-21 stand rejected under 35 U.S.C. §103(a) over U.S. Patent No. 5,787,175 ("Carter") in view of U.S. Patent Publication 2006/0173999 ("Rider") and further in view of U.S. Patent No. 7,017,183 to Frey et al. ("Frey"). In response, Applicants respectfully traverse the rejection of the claims on the grounds that the combination of references is defective in establishing a prima facie case of

Appl. No. 10/734,935  
Response to Final Office Action dated May 11, 2010

**Response Under 37 CFR § 1.116**  
**Expedited Procedure – Group Art Unit 2132**  
Patent/Docket No. 26530.92 (IDR-671)  
Customer No. 000027683

obviousness with respect to all of the claims.

In particular, claim 1 requires, *inter alia*:

*building a member definition comprising a member identifier, an access control list comprising a list of access rights of the user, a private key of a key pair for use in encrypting the document, and a digital signature, and associating the member definition with the user; [and]*

*denying access to the second data portion in accordance with the access right, wherein the denying access comprises at least one of logging information regarding the denial of access, and notifying security personnel regarding the denial of access.*

The cited combination is devoid of any teaching of the foregoing elements. With regard to the first element noted above, the Examiner concedes that Carter and Rider fail to teach an ACL, for which Frey is cited. However, neither of the elements noted by the Examiner as reading on the claimed ACL (i.e., the ACL sync map 438 and the ACL 144) comprise a list of access rights of the user, as recited in claim 1. On the contrary, the ACL 144 is described by Frey, at column 3, lines 63-66, as comprising “for each external object, a list of the portal users and portal groups that may access the object.” Therefore, unlike the claimed ACL, which is associated with a particular user and specifies the access rights of that user, the ACL described by Frey is associated with an object and comprises a list of users that may access the object.

Additionally, with regard to the second element noted above, none of the references disclose wherein the denying access comprises logging information and/or notifying security personnel regarding the denial of access to the second data portion.

In view of all of the foregoing, it is apparent that the cited combination fails to teach or suggest the invention as recited in claim 1; therefore, the rejection is not supported by the cited combination and should be withdrawn. Claims 11 and 21 include limitations similar to those of claim 1 and are therefore also deemed to be in condition for allowance for at least the same reasons presented above. Claims 4-10 and 12-20 depend from and further limit claims 1 and 11 and therefore are deemed to be in condition for allowance for at least that reason.

**Conclusion**

Appl. No. 10/734,935  
Response to Final Office Action dated May 11, 2010

**Response Under 37 CFR § 1.116**  
**Expedited Procedure – Group Art Unit 2132**  
Patent/Docket No. 26530.92 (IDR-671)  
Customer No. 000027683

It is clear from all of the foregoing that all of the pending claims are now in condition for allowance and prompt notification to that effect is therefore respectfully requested. The Examiner is invited to contact the undersigned at the numbers provided below if further discussion is required.

Respectfully submitted,

Brandi W. Sarfatis  
Registration No. 37,713

Dated: \_\_\_\_\_  
HAYNES AND BOONE, LLP  
2323 Victory Ave., Suite 700  
Dallas, Texas 75219  
Telephone: (214) 651-5896  
Facsimile: (214) 200-0848  
File: 26530.92

D-1823391\_1.DOC

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via EFS-Web on the following date.

Date: \_\_\_\_\_

Ellen Lovelace